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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,765	06/28/2006	Mathieu Langlais	F40.12-0132	1483
27367	7590	12/16/2010	EXAMINER	
WESTMAN CHAMPLIN & KELLY, P.A. SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402			KING, SIMON	
			ART UNIT	PAPER NUMBER
			2614	
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			12/16/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/564,765 Examiner SIMON KING	LANGLAIS, MATHIEU Art Unit 2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 October 2010.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/05/2010</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 rejected under 35 U.S.C. 102(e) as being anticipated by Shanbhag et al. (US 2003/0063581 A1).

As for claim 1, Shanbhag discloses method of transmitting data in a telecommunications system (**Fig.1, 2 and abstract**) including a transmitter and a receiver (**Fig.2 and [0026]: wireless client 125 able to transmits and receives signals to data network 105 (including radio transceiver equipment, inherent to have transmitter and receiver in network 105)**) adapted to be coupled together via an intermediate device (**Fig.1 and [0017]: wireless content switch 10: Fig.2 and [0026-0028]: WLAN 110 connected to public wireless packet data network 105 via wireless content switch 105. Wireless client 125 access via WLAN 110 including a controller arrangement for managing (Fig.1 and [0017-0023])**) (a) at least one signalling port (**Fig.1: Downstream port 50b: [0028]: wireless content switch 10 is connected to the WLAN 110 via downstream port 50b**) able to receive coupling authorization requests and to deliver such authorizations (**Fig.1, 3A and [0027-0032]: Wireless client responds to authentication challenge signals 215 by sending a login identification and a password to WCS 10**), and (b) at least one listening port (**Fig.1: Upstream port 50a**) to which

the transmitter and receiver are able to be coupled after having been so authorized by the intermediate device (**[0032-0033]**: Upon authentication of the wireless client 125, the wireless content switch 10 completes the pipe (or tunnel) (signal 230) to the internet 115 via the GGSN 120 (network 105) from upstream port 50a), the method including: configuring the intermediate device in a default access authorization mode (**[0033]**: After RAI, wireless client 125 can continues to access internet 115 via WLAN 110), in which the intermediate device authorizes every coupling to the listening port for which a request has been received by the signalling port, and coupling the transmitter and receiver to the listening port (**Fig.4 and [0037-0038]**: WCS 10 receives data packet from wireless client 125 (**Fig.4: 320**) at downstream port 50b. After authentication and RAI, provide access for internet 115: **[0018-0023]**: wireless content switch 10 stores all records of wireless client for authentication and access).

As for claim 2, the method according to claim 1, wherein the intermediate device, prior to transmission, has loaded therein the address of the listening port to which the transmitter is intended to be coupled (**[0022-0023]** and **[0038]**).

As for claim 3, a telecommunication system including comprising: an intermediate device; and a transmitter and a receiver adapted to be coupled together via the intermediate device: the intermediate device including a controller arrangement for managing (a) at least one signalling port able to receive coupling authorization requests and to deliver such authorizations, and (b) at least one listening port to which the transmitter and receiver are able to be coupled after having been so authorized by the intermediate device, the intermediate device being arranged for configuring the intermediate device in a default access mode, in which the intermediate device authorizes every coupling to the listening port for which a request has been received by the signalling port and the transmitter being arranged for storing an address of the

listening port to which the transmitter is intended to be coupled (**see rejection for claim 1**).

As for claim 4, the telecommunication system according to claim 3, wherein the intermediate device is arranged for transmitting the address of the listening port to which the transmitter is intended to be coupled ([0022-0023] and [0038]).

As for claim 5, the telecommunication system of claim 4, further comprising a server comprising the intermediate device (**Fig.1: wireless content switch 10 includes processor, memory and input/output ports**).

As for claim 6, the telecommunication system of claim 3, further comprising a comprising the intermediate device (**Fig.1**).

As for claim 7, an intermediate device for a telecommunication system including a transmitter and receiver adapted to be coupled together via the intermediate device, the transmitter being arranged for storing an address peculiar to a listening port to which the transmitter is intended to be coupled, the intermediate device comprising: a controller arrangement for managing (a) at least one signaling port able to receive coupling authorization requests and to deliver such authorizations, and (b) at least one listening port to which the transmitter and receiver are able to be coupled after having been so authorized by the intermediate device, the intermediate device being configurable in a default access mode, in which the intermediate device authorizes every coupling to the listening port for which a request has been received by the signalling port (**see rejection for claim 1**).

As for claim 8, the intermediate device according to claim 7, wherein the intermediate device is arranged for transmitting the address of the listening port to which the transmitter is intended to be coupled ([0022-0023] and [0038]).

As for claim 9, a server comprising the intermediate device of claim 7 (**see rejection for claim 5**).

As for claim 10, a server comprising the intermediate device of claim 8 (**see rejection for claim 5**).

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KING whose telephone number is (571)270-1950. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

14 December 2010

/SIMON KING/  
Examiner, Art Unit 2614

/Simon Sing/  
Primary Examiner, Art Unit 2614